UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE "A MILLION LITTLE PIECES" LITIGATION

No. 06-md-1771

Hon. Richard J. Holwell

SECOND DECLARATION OF EVAN J. SMITH, ESQUIRE IN SUPPORT OF AMLP PLAINTIFFS' GROUP'S SUPPLEMENTAL MEMORANDUM REGARDING APPROVAL OF NOTICE PLAN

I, Evan J. Smith, Esquire, hereby declares:

1. I am an attorney, duly licensed and admitted to practice law in the State of New York and in this Court. I am a partner in the law firm of Brodsky & Smith, LLC, counsel for Plaintiff Michele Snow in these coordinated proceedings. I have personal knowledge of the facts set forth in this Declaration. If called upon and sworn as a witness, I could and would competently testify to these facts.

2. Attached hereto as Exhibit "A" is the supplemental response from Border's Group. Inc. that was received subsequent to the filing of the supplemental memorandum filed by the AMLP Plaintiffs' Group on April 27, 2007.

3. Attached hereto as Exhibit "B" for the Court's convenience is the original correspondence to Border's Group, Inc. and its response thereto.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: April 30, 2007

/s Evan J. Smith, Esquire (ES3254)
Evan J. Smith, Esquire (ES3254)

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